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PATENT

Attorney Reference Number 6122-54472-01
Application Number 09/788,264

Remarks

Claims 5, 15-21, and 27-28 are canceled herein. Claim 2 was canceled previously. Following entry of this amendment, claims 1, 3-4, 6-14, 22-26, and 29-46 are pending.

Claim 1 is amended herein to incorporate the limitations of previously pending dependent claim 5. As claim 5 was considered to be allowable if written in independent form, Applicant submits that amended claim 1, and claims that depend therefrom, should now be considered to be allowable.

Claim 22 is amended herein to incorporate the limitations of previously pending dependent claim 27. As claim 27 was considered to be allowable if written in independent form, Applicant submits that amended claim 22, and claims that depend therefrom, should now be considered to be allowable.

Claims 3-4 are amended to depend from claim 1, as discussed in the Interview Summary that accompanied the final Office action. Applicant notes that claims 3-4 have already been examined as if they depended from claim 1 (see the Interview Summary and the final Office action).

Claim 46 is amended herein to depend from claim 22.

No new matter is added. Reconsideration of the present application is respectfully requested.

Abstract

The abstract is amended herein to be less than 150 words. For the Examiner's convenience, a clean copy of the abstract, on a separate page, is submitted with this amendment.

Dependency of Claims 3 and 4

The Interview Summary that accompanied the final Office action stated that claims 3 and 4 as amended in Paper Number 6, filed August 14, 2003, were dependent on a canceled claim. The Interview Summary states that "Applicant changed dependency to claim 1." In addition, the final Office action indicates that claims 3 and 4 depended from claim 1, and asserts rejections of claims 3 and 4 based on this assumption. However, Applicant believes that although examination was conducted as if claims 3-4 depended from claim 1, these claims were not

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formally amended to correct their dependency (as no an Examiner's Amendment accompanied the final Office Action). If Applicant's understanding is incorrect, and claims 3-4 already were amended to formally depend from claim 1, the Examiner is respectfully requested to contact the undersigned so that a corrected listing of claims can be submitted immediately.

Claim Objections

Claims 28 and 46 were objected to for an informality in claim 28. Specifically claim 28 was rejected for lacking proper antecedent basis for "the posterior portion" and "the anterior portion" in lines 4 and 8, respectively. Claim 28 is canceled herein, rendering the objection moot. Claim 46 is amended herein to depend from claim 22, thereby removing the objection of claim 46.

Rejection under 35 U.S.C. § 102

Claims 1, 3, 4, 7-11, 15 and 17-19 were rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by U.S. Patent No. 5,074,855 (Rosenbluth et al.). Applicant respectfully disagrees with this rejection.

The Office action notes that claim 5 was free of the prior art (see page 10 of the final Office action). Solely to advance prosecution, claim 1 has been amended to include all the limitations of claim 5, thereby removing the rejection. Claims 3, 4 and 7-11 depend from amended claim 1.

Claims 15 and 17-19 are canceled herein, rendering the rejection moot as applied to these claims.

Rejection under 35 U.S.C. § 103

Claims 1, 3, 4, 6-26, 28-40 and 46 were rejected as allegedly being obvious over U.S. Patent No. 3,983,873 (Hirschman) in view of U.S. Patent No. 6, 406,713. Applicant respectfully disagrees with this rejection.

The Office action notes that claim 5 is free of the prior art (see page 10 of the final Office action). Solely to advance prosecution, claim 1 has been amended to include all the limitations of claim 5, thereby removing the rejection. Claims 3, 4 and 6-14 depend from amended claim 1.

The Office action also notes that claim 27 is free of the prior art (see page 10 of the final

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Office Action). Solely to advance prosecution, claim 22 has been amended to include the all the limitations of claim 27, thereby removing the rejection. Claims 23-26, 29-40 and 46 depend from amended claim 22, or a dependent claim thereof.

Claims 15-21 and 28 are canceled herein, rendering the rejection moot as applied to these claims.

Conclusion

Applicant submits that claims 1, 3-4, 6-14, 22-26 and 29-46 are in condition for allowance, which action is requested. If any matters remain to be discussed prior to allowance, the Examiner is respectfully requested to contact the undersigned prior to June 22, 2004.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Susan Alpert Siegel, Ph.D.
Registration No. 43,121

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446